

**RESOLUTION BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

05 - R - 0838

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA, TO ENTER INTO A LICENSE AGREEMENT WITH ATLANTA CONCERTS, INC. TO ALLOW ATLANTA CONCERTS, INC. TO PRODUCE THE MUSIC MIDTOWN FESTIVAL ON THE PROPERTY OF THE ATLANTA CIVIC CENTER DURING THE YEARS 2005, 2006, AND 2007, WHEREBY ATLANTA CONCERTS, INC. WILL PAY THE CITY \$75,000, \$82,500, AND \$90,750 RESPECTIVELY FOR ITS LICENSE TO USE THE SPACE, AND WHEREBY SAID FUNDS SHALL BE DEPOSITED INTO THE ATLANTA CIVIC CENTER LAND RENTALS ACCOUNT, FUND, ACCOUNT AND CENTER NUMBER 2R01 462101 BOOOO1; AND FOR OTHER PURPOSES.

WHEREAS, the Music Midtown Festival is an annual festival that occurs inside the City of Atlanta on one weekend of each year, from Friday at 5:00 pm through Sunday at 10:00 pm; and

WHEREAS, the Music Midtown Festival includes the presentation of live entertainment, the sale of food, alcoholic and other beverages, merchandise and other concessions, and other related activities; and

WHEREAS, the Music Midtown Festival attracts people from around the southeastern United States, and has thousands of attendees each year; and

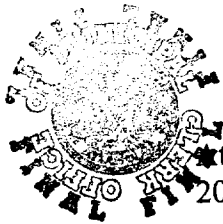
WHEREAS, for the past five years, the Music Midtown Festival has been located in and around the Atlanta Civic Center, and Atlanta Concerts, Inc. has leased the Atlanta Civic Center for that purpose; and

WHEREAS, the five year License Agreement between the City of Atlanta and Atlanta Concerts, Inc. has expired and Atlanta Concerts, Inc. would like to perform the Music Midtown Festival at the same location for the next three years; and

WHEREAS, for use during the Midtown Music Festival, Atlanta Concerts, Inc. would also like to rent, or have the option to rent, the premises occupied on January 1, 2004 by SciTrek Science and Technology Museum ("Auxiliary Premises").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. The Mayor, on behalf of the City, is hereby authorized to enter into a License Agreement with Atlanta Concerts, Inc. that would allow for Atlanta Concerts, Inc. to utilize certain areas in and around the Atlanta Civic Center ("Licensed Premises"), for the production of the Music Midtown Festival. This License Agreement shall allow



Atlanta Concerts, Inc. to utilize the Licensed Premises for ten days in 2005, ten days in 2006, and ten days in 2007, but shall provide that either party can terminate the agreement without cause with one hundred eighty days notice. In exchange for utilizing the Licensed Premises, Atlanta Concerts, Inc. will provide the City with compensation, including \$75,000 in 2005, \$82,500 in 2006, and \$90,750 in 2007. Atlanta Concerts Inc. will make commercially reasonable efforts to communicate and cooperate with the community surrounding the Licensed Premises, to keep the community fully informed of the performances and timing of the Music Midtown Festival, to identify the community's concerns and respond to those concerns, and to minimize, to the extent reasonably possible, the inconvenience of having the event in their neighborhood. Lastly, after each Midtown Music Festival, Atlanta Concerts, Inc. will restore the Licensed Premises and all systems servicing the Licensed Premises to the same condition in which they existed prior to the Festival.

SECTION 2. The License Agreement shall provide that the City may lease the Auxiliary Premises to Atlanta Concerts, Inc. for nineteen days during 2005, 2006, and during 2007, for a price to be determined by agreement of the parties on an annual basis. In the event that the Auxiliary Premises are leased to Atlanta Concerts, Inc., the Auxiliary Premises shall be used for office space, delivery and storage for concessions, and feeding of police and security officers. The Auxiliary Premises shall not be open to the public.

SECTION 3. The City Attorney is hereby directed to prepare said License Agreement for execution by the Mayor, to be approved as to form by the City Attorney. The License Agreement shall be substantially similar to the License Agreement attached hereto as Exhibit A.

SECTION 4. Said License Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor and delivered to Atlanta Concerts, Inc.

SECTION 5. All funds derived from the License Agreement shall be deposited into the Atlanta Civic Center Land Rentals account, Fund, Account and Center number 2R01 462101 BOOOO1.

A true copy

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

May 16, 2005
May 23, 2005

RCS# 6676
5/16/05
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-15

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	B Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		05-16-05 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0655 2. 05-O-0656 3. 05-O-0657 4. 05-O-0658 5. 05-O-0659 6. 05-O-0762 7. 05-O-0778 8. 05-O-0781 9. 05-O-0871 10. 05-O-0874 11. 05-O-0669 12. 05-O-0684 13. 05-O-0685 14. 05-O-0850 15. 05-O-0702 16. 05-O-0703 17. 05-O-0704 18. 05-O-0845 19. 05-R-0822 20. 05-R-0823 21. 05-R-0824 22. 05-R-0827 23. 05-R-0828 24. 05-R-0834 25. 05-R-0881 26. 05-R-0821 27. 05-R-0872 28. 05-R-0830 29. 05-R-0875 30. 05-R-0838	31. 05-R-0839 32. 05-R-0677 33. 05-R-0832 34. 05-R-0833 35. 05-R-0836 36. 05-R-0837 37. 05-R-0878 38. 05-R-0818 39. 05-R-0820 40. 05-R-0826 41. 05-R-0835 42. 05-R-0785 43. 05-R-0786 44. 05-R-0787 45. 05-R-0788 46. 05-R-0789 47. 05-R-0790 48. 05-R-0791 49. 05-R-0792	50. 04-R-1789 51. 05-R-0793 52. 05-R-0795 53. 05-R-0799 54. 05-R-0800 55. 05-R-0801 56. 05-R-0802 57. 05-R-0805 58. 05-R-0806 59. 05-R-0807 60. 05-R-0810 61. 05-R-0812 62. 05-R-0814

05 - 0838
(Do Not Write Above This Line)

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ADOPTED BY

MAY 16 2005

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee C/P/H/R

Date 5/16/05

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

[Signature]

[Signature]

[Signature]

[Signature]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

[Signature]

[Signature]

[Signature]

[Signature]

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

MAY 16 2005

MAYOR'S ACTION

[Signature]